

HOUSE FILE 2052  
BY MASCHER

**A BILL FOR**

1 An Act relating to the creation and use of moneys in a home  
2 and community-based services trust fund and making an  
3 appropriation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   231.35   Home and community-based  
2   services trust fund.

3     1. A home and community-based services trust fund is  
4   created within the state treasury under the authority of  
5   the department. The moneys in the home and community-based  
6   services trust fund are appropriated to the department to be  
7   used for distribution through the area agencies on aging to  
8   provide home and community-based services for older individuals  
9   designed to promote the independence of and to delay the use of  
10  institutional care by older individuals with low and moderate  
11  incomes.

12    2. Moneys received by the department, moneys appropriated  
13  to the home and community-based services trust fund, and any  
14  other moneys available to and obtained or accepted by the  
15  department for placement in the home and community-based trust  
16  fund shall be deposited in the fund. Notwithstanding section  
17  12C.7, subsection 2, interest or earnings on moneys in the home  
18  and community-based services trust fund shall be credited to  
19  the fund. Notwithstanding section 8.33, moneys in the fund  
20  that remain unencumbered or unobligated at the end of the  
21  fiscal year shall not revert but shall remain available for the  
22  same purpose in the succeeding fiscal year.

23    3. The department shall annually distribute moneys  
24  available in the home and community-based trust fund to the  
25  area agencies on aging. The department shall adopt rules  
26  pursuant to chapter 17A to administer this section, including  
27  the criteria and a process for distribution of funds to area  
28  agencies on aging.

29    Sec. 2. APPROPRIATION. There is appropriated to the  
30  department on aging for the fiscal year beginning July 1, 2010,  
31  and ending June 30, 2011, the following amount, or so much  
32  thereof as is necessary, for the purpose designated:

33    For deposit in the home and community-based services  
34  trust fund created in section 231.35 to provide home and  
35  community-based services to older individuals:

1 ..... \$ 8,500,000

2 EXPLANATION

3 This bill creates the home and community-based services  
 4 trust fund within the state treasury under the authority of  
 5 the department on aging. Moneys in the fund are appropriated  
 6 to the department for distribution through area agencies on  
 7 aging to provide home and community-based services for older  
 8 individuals designed to promote the independence of and to  
 9 delay the use of institutional care by older individuals  
 10 with low and moderate incomes. The fund consists of moneys  
 11 received by the department, moneys appropriated to the home  
 12 and community-based services trust fund, and any other moneys  
 13 available to and obtained or accepted by the department for  
 14 placement in the home and community-based trust fund. The  
 15 department is directed to adopt rules to administer the fund,  
 16 including criteria and a process for distribution of funds  
 17 to area agencies on aging. The bill also appropriates \$8.5  
 18 million from the general fund of the state to the department  
 19 for FY 2010-2011 for deposit in the trust fund. Home and  
 20 community-based services are defined in Code section 231.4 as  
 21 "a continua of services available in an individual's home or  
 22 community which include but are not limited to case management,  
 23 homemaker, home health aide, personal care, adult day,  
 24 respite, home delivered meals, nutrition counseling, and other  
 25 medical and social services which contribute to the health and  
 26 well-being of individuals and their ability to reside in a home  
 27 or community-based care setting."